

REMARKS / DISCUSSION OF ISSUES

Claims 1-21 and 31-32 are pending in the application. Claims 22-30 are canceled herein.

The disclosure stands objected to by the Examiner due to the specification not being properly labeled with section headings. The applicants respectfully note that section headings are not mandatory (See 37 CFR 1.77(b); MPEP 608.01(a)), and the Patent Office has stated that it will not require any application to comply with the format set forth in 37 C.F.R. 1.77. See *Miscellaneous Changes in Patent Practice*, Response to comments 17 and 18 (Official Gazette, September 18, 1996).

Claims 1-7 and 31 stand rejected under 35 U.S.C. 101 based on the new requirements for method claims. Claim 1 is correspondingly amended herein to tie the method to a machine. The claims are not narrowed in intended scope.

Claims 1, 5, 8, and 31 stand rejected under 35 U.S.C. 102(b) over Jonsson (WO 01/76294). The applicants respectfully traverse this rejection.

MPEP 2131 states:

"A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)... "The *identical invention* must be shown in as *complete detail* as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Jonsson fails to teach authorizing operation on content by a first user upon receipt of information from the first user that links the first user and a second user who is authorized to perform the operation as members of a common authorized domain, as specifically claimed in independent claims 1 and 8, upon which all other claims depend.

The Examiner asserts that Jonsson discloses authorizing the operation upon receipt of information from the first/requesting user at page 7, lines 27-35. This assertion is incorrect. At the cited text, Jonsson teaches:

"A user can preferably access a client structure, to which he is assigned, by means of a computer or a telephone. In case of a computer, the user can visit on the Internet a web site of the access provider. After a login procedure, including stating some sort of personal identification code, the user will come to a private homepage. On this private homepage he will be able to see what services are available and, preferably, which level of authority he has to the different services. On the private homepage, he will also have icons or references to all the client structures in which he is an assigned user. Thus, by clicking on one of these references he enters a specific client structure, and will there be able to access a number of services." (Jonsson, page 7, lines 27-35.)

As is clearly evident, the cited text does not disclose that the requesting user provides information that links the user to another user who is authorized to perform the requested operation. In Jonsson, the links are predefined on the system that the user logs into.

In Jonsson, a superuser defines a client structure and grants user rights within that structure. When a user logs into a system, each of the user rights that have been granted to the user are available to the user. If the user has not been previously granted a particular right, the user must contact the superuser to remedy the situation. Further, the user must access these rights via a private homepage.

The applicants provide a method and system that facilitate 'portable' access to material, and flexible granting of rights among users. In the applicants' claimed invention, when a user wants to perform an operation on content material, the user need only provide a certificate that identifies rights of another user, and information that links the requesting user to the other user. This can be performed in any venue, and does not require access to a particular system at which the links (client structures) are stored. If, for example, one member of a family (authorized domain) purchases rights to a content item, any other member of the family can execute these rights merely by providing information that links the other member to the family. In Jonsson, until the superuser expressly grants the right to the other members of the family, the other family members will not be able to access the content item.

Of particular note, in Jonsson, the requesting user does not provide information that links the user to another user; the superuser predefines all links (client structure). In Jonsson, the user identifies himself/herself, and the system determines all of the client structures that the user is linked to. If the requesting user has information that would link him/her to a client structure, but the superuser has not predefined the user as being linked to the client structure, the requesting user will have no opportunity to provide this linking information to Jonsson's system.

Because Jonsson does not allow a requesting user to provide information that links the user to another user as members of a common authorized domain, as specifically claimed, and because the Examiner fails to identify where Jonsson provides such a teaching, the applicants respectfully maintain that the rejection of claims 1, 5, 8, and 31 under 35 U.S.C. 102(b) over Jonsson is unfounded, and should be withdrawn.

The Examiner rejects:

claims 2-4, 6, 9-14, and 32 under 35 U.S.C. 103(a) over Jonsson in view of Saw et al. (USP 7,020,781, hereinafter Saw);

claims 7 and 21 under 35 U.S.C. 103(a) over Jonsson in view of Saw and further in view of Messerges et al. (USPA 2002/0157002, hereinafter Messerges);

claims 15-17 and 19 under 35 U.S.C. 103(a) over Jonsson in view of Saw and in further view of Wyman (USP 5,204,897);

claim 18 under 35 U.S.C. 103(a) over Jonsson in view of Saw and Wyman and in further view of Moskowitz et al. (WO 01/18628, hereinafter Moskowitz); and

claim 20 under 35 U.S.C. 103(a) over Jonsson in view of Saw and in further view of Kahn et al. (USP 6,135,646, hereinafter Kahn). The applicants respectfully traverse these rejections.

In each of these rejections, the Examiner relies on Jonsson for teaching the elements of claims 1 and 8, upon which each of these rejected claims depend. As detailed above, Jonsson fails to teach the elements of claims 1 and 8, and neither Saw, Wyman, Moskowitz, nor Kahn cures this deficiency.

Accordingly, the applicants respectfully maintain that the rejections of claims 2-7, 9-21, and 32 under 35 U.S.C. 103(a) that rely on Jonsson for teaching the elements of claims 1 and 8 are unfounded, and should be withdrawn.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Please direct all correspondence to:
Corporate Counsel
PHILIPS IP&S
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
914-332-0222

Respectfully submitted,

/Robert M. McDermott/
Robert M. McDermott, Esq.
Reg. 41,508
804-493-0707
for: Kevin C. Ecker
Reg. 43,600
914-333-9618